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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,586	03/24/2004	Shusaku Yamamoto	0399-0130PUS1	4111
2292	7590	09/30/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			PUROL, DAVID M	
			ART UNIT	PAPER NUMBER
			3634	

DATE MAILED: 09/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/807,586

Applicant(s)

YAMAMOTO, SHUSAKU

Examiner

David M. Purol

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>03242004</u> . | 6) <input type="checkbox"/> Other: _____ |

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1. The preliminary amendment filed on March 24, 2004 has been entered.

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-10 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. These claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

It is not known the structure which comprises the position stopper for limiting or adjusting the opening and closing of the auxiliary door 4 so that the opening and closing of the auxiliary door 4 can be adjusted. It is not known the structure of the engagement/disengagement lever 15 which permits it to engage or disengage the axial support parts 8,9 from the bearing parts 10,11. It is not known the structure of the appropriate locking part which preferably locks the auxiliary door 4 to the door 2. The specification uses the terms "locking tool 20", "locking part 19", "locking tool 18" in an unconventional manner and these terms further provide a vague description devoid of any structural detail of that which is actually depicted in the drawings. It is not known the structure or circuitry of the auto-lock part 21 which can lock or unlock the locking tool 20 by remotely controlling the controller 22 from outside the door 2. It is not known

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the structure of the auxiliary door which has a lattice that is expandable and retractable in parallel.

3. Claims 1-10 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

These claims are replete with terminology for which its intended meaning is not understood and further are replete with grammatical/idiomatic errors. For example: claim 1, line 2 "etc.," line 2 "is provided", line 6 "predetermined narrow width", line 7 "open/close", line 10 "is linked in such a manner that", line 11 "functions as", line 13 "lattice-shape or louver-shape", line 14 "can visually confirm the outside"; claim 2 uses the term "side end parts" in a confusing manner; claim 2, line 8 "in accordance with"; claim 3, lines 2-3 "is attachably and detachable provided"; claim 4, lines 2-3 "of aluminum or iron", line 5 "attachably and detachably attached to locking bearing parts", line 6 "are provided", line 7 "opening frame or the inner surface of the door", line 8 "are formed", line 9 "and these", line 12 "a predetermined length"; claim 5, line 2 "is provided at", line 3 "in order to prevent"; claim 6, line 3 "lattice-shape or louver-shape", line 4 "a receiver can confirm the outside"; claim 7, lines 2-3 "is formed to be foldable", lines 3-4 "of this auxiliary door"; claims 8-10 in their entirety.

These claims are replete with terminology for which there is no antecedent basis. For example: claim 1, line 3 "the side end side", line 7 "the other side end part", line 8 "the inner part", line 11 "the opening part"; claim 4, lines 3-4 "the upper and lower parts";


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claim 5, line 2 "the contacting part", lines 2-3 "the door lock knob"; claim 6, line 2 "the upper half part".

In addition, these claims are narrative in form and replete with functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device.

4. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Warfel, O'Harrow, Christison, Hinton et al, Booker, Ryan, Venti, Sickenius, Britt, Lamazares.

5. Any inquiry concerning this communication should be directed to David M. Purol at telephone number (571) 272-6833.


David M Purol
Primary Examiner
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